

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2004-123-T - ORDER NO. 2004-370  
SEPTEMBER 2, 2004

IN RE:	Rule to Show Cause against certain Motor	)	ORDER REVOKING
	Carriers holding Certificates of Public	)	CERTIFICATES
	Convenience and Necessity concerning	)	
	Failure to Comply with the Rules and	)	
	Regulations of this Commission Regarding	)	
	filing of Evidence of Insurance.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of Commission Order No. 2004-239 in the instant Docket, which required all motor carriers listed in the Appendix thereof to appear before the Commission on Wednesday, July 21, 2004, at 11:30 a.m. to show cause why the Commission should not revoke and cancel their Certificates for violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law of South Carolina in respect of failure to file evidence of insurance.

The information upon which the Commission based Order No. 2004-239 was developed by the Transportation Department through a procedure involving periodic inspections of the Commission's files and records. From this data, the Commission Staff developed a list of motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law (Appendix of Order No. 2004-239).

The Commission issued Order No. 2004-239 setting a Rule to Show Cause hearing for those motor carriers who had not responded to the prior notifications of noncompliance.

The Transportation Department staff notified all of the carriers listed in the Appendix of Order No. 2004-239 that because of their failure to file evidence of liability and/or cargo insurance, they were not in compliance “with the terms of the Motor Vehicle Carrier Law of South Carolina, and the Rules and Regulations issued thereunder.”

A public hearing regarding this matter was held on Wednesday, July 21, 2004, at 11:30 a.m. Jocelyn Boyd, Staff Counsel, represented the Commission Staff. L. George Parker, Jr., Manager of the Transportation Department of the Commission testified for the Commission Staff.

With respect to all the Respondents listed in the Appendix attached hereto, the Commission is of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by all listed carriers should be revoked and cancelled for their continued willful violation of the Commission’s Rules and Regulations and/or the South Carolina Vehicle Carrier Law [S.C. Code Ann. Section 58-23-10 et. seq. (1976)].

The Commission also finds that the Rule to Show Cause should be dismissed as to the carriers who have complied with the Commission’s Rules and Regulations and/or the Motor Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.

2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.

3. That this Rule be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/  
Randy Mitchell, Chairman

ATTEST:

/s/  
G. O'Neal Hamilton, Vice Chairman

(SEAL)